DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. THOMAS AND ST. JOHN

TIMOTHY McDONALD,

Plaintiff,

v.

LOWE DAVIS, INNOVATIVE COMMUNICATIONS CORPORATION (ICC), THE DAILY NEWS PUBLISHING COMPANY, INC., and JASON ROBBINS,

Defendants.

2004-CV-0093

THE DAILY NEWS PUBLISHING COMPANY, INC.,

Counter-Plaintiff,

v.

TIMOTHY McDONALD,

Counter-Defendant.

TO: Lee J. Rohn, Esq.
Kevin A. Rames, Esq.

ORDER REGARDING PLAINTIFF'S MOTION TO COMPEL

THIS MATTER came before the Court for consideration upon the Joint Stipulation Regarding Plaintiff's Motion to Compel Defendants The Daily News, ICC[,] and Davis to Supplement Discovery as Agreed Upon (Docket No. 115). Plaintiff contends that said

Defendants failed to provide their portions of the joint stipulation, and Defendant The Daily News Publishing Company, Inc., and Innovative Communication Corporation filed a separate Opposition to Motion to Compel (Docket No. 125). The Court also notes that Defendants The Daily News Publishing Company, Inc., and Innovative Communication Corporation filed a Response to July 31, 2006[,] Court Order Regarding Unresolved Discovery Requests (Docket No. 122). In addition, Defendant ICC, Lowe Davis, and The Daily News Publishing Company, Inc., filed a Response to Plaintiff's Request For Renewed Motion to Compel Defendants ICC, Lowe Davis and The Daily News to Produce Information and Documents Concerning Control (Docket No. 152). However, the record is void of such a renewed motion to compel. All of Defendants' filings assert that Defendants have supplemented their responses to discovery or otherwise resolved the discovery disputes at issue.

Accordingly, it is now hereby **ORDERED** Plaintiff's Motion to Compel Defendants The Daily News, ICC[,] and Davis to Supplement Discovery as Agreed Upon (Docket No. 115) is **DENIED AS MOOT**.

ENTER:

Dated: July 3, 2007

/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE